



**Request
FOR
Continued Examination (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/033,835
Filing Date	December 24, 2001
First Named Inventor	Yunik Chang
Art Unit	1623
Examiner Name	Maier, Leigh C.
Attorney Docket No.	HME/7679.012

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR. 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s) / reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on 9/24/02 & 1/13/03
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavits(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(h) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-1773
- i. ☐ RCE fee required under 37 CFR 1.17(e). | **02/06/2004 EFLORES 00000052 10033835**
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) | **01 FC:1801**
- iii. ☐ Other _____ | **770.00 OP**
- b. ☒ Check in the amount of \$770.00 enclosed.
- c. ☐ Payment by credit card. (Form PTO-2038 enclosed.)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Howard/Eisenberg, Esq.	Registration No.	36,789
Signature		Date	February 2, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Howard Eisenberg	Date	February 2, 2004
Signature		Date	February 2, 2004

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Atty Doc. No. HME/7679.0012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

In re the Application of :
Yunik Chang and Gordon Dow : Group Art Unit: 1623
Serial No. 10/033,835 : Examiner: Leigh C. Maier
Filed: December 24, 2001 : Date: February 2, 2004
For a Patent for :
AQUEOUS COMPOSITIONS CONTAINING
METRONIDAZOLE

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AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents
Box RCE
Alexandria, VA 22313-1450

Dear Sir,

Applicants submit this Amendment in response to the Office Action mailed on
November 4, 2003. Please amend the application as follows. Applicants submit herewith a
Request for Continued Examination of this application.

02/06/2004 EFLORES 00000052 10033835

02 FC:1201 172.00 OP
03 FC:1202 162.00 OP